

Performing Arts Center Board Minutes 09/22/2009

SIMSBURY PERFORMING ARTS CENTER BOARD
SPECIAL MEETING
SEPTEMBER 22, 2009

I. CALL TO ORDER

Dave Ryan called the meeting to order at 7:01 p.m. In addition to Mr. Ryan, Board members Leo Collins, Janet Goman, Ken Mason, John Paddock, Greg Piecuch, and Adam Sharaf were present. Also in attendance were Gerry Toner, Director of Parks & Recreation and, arriving at approximately 8:00, Selectman Bob Hensley, BOS liaison. Guests included Kristen Phillips, Executive Director of the Hartford Symphony Orchestra.

II. APPROVAL OF MINUTES

Mr. Piecuch moved to approve the minutes of August 19, 2009. Mr. Ryan seconded the motion. The motion passed unanimously. Mr. Paddock and Mr. Sharaf abstained

III. REVIEW OF UNAUDITED FINANCIAL RESULTS

Prior to the meeting, John Wilcox prepared financial statements as of August 31, 2009. These statements were reviewed by the Board and discussed. Using a cash basis, there is an excess of \$1,534.00 in revenues over expenditures. Unpaid receivables were reported to be approximately \$3,500.00. In addition, Trojan Youth Football has yet to be invoiced, but the amount is expected to be nominal (i.e., \$17.50 per hour of Mr. Buccarella's time; Mr. Distel was not on site for this event). Payables include approximately \$1,000.00 for trailers which has yet to be invoiced, and a final payment to Mr. Distel in the amount of \$3,000.00. Mr. Toner reported that attendance figures have been fully reconciled

with the HSO, the CT Theater Festival and the Reach Foundation. It was also reported that figures will be provided from the Highway and Culture, Parks & Recreation Departments for inclusion in Footnote 3 of the statement.

In response to an inquiry as to whether or not Mr. Distel has completely fulfilled his contractual obligations, it was reported that a year-end report remains outstanding. It was the consensus of the Board to withhold final payment until such time as all of Mr. Distel's obligations are completed. In response to an inquiry concerning the Trojan Youth Football event, it was reported that the attendees each brought their own wine; i.e., it was not purchased in bulk and distributed by the organizers of the event.

Mr. Piecuch moved to proceed to consideration of Agenda Item # 9. Mr. Paddock seconded the motion. The motion passed unanimously.

IX. HSO – PAC BOARD TMMF TASK FORCE

It was reported that a meeting between members of the HSO Board and Mary Glassman (in which Mr. Ryan and Mr. Piecuch participated) was held in Mrs. Glassman's office on September 3. During this meeting, concerns were raised concerning the ability of the HSO to meet its revenue goals. Ms. Phillips reported that four of the six Talcott Mountain Music Festival shows were impacted by weather, which significantly affected walk-up sales. Thus, even though advanced sales were up from 2008 levels, the series nonetheless fell short of the HSO's revenue target. One idea raised by Ms. Phillips was to have a license fee based upon gross sales rather than a fixed amount. The result of the September 3 meeting was that Mrs. Glassman suggested forming a task force to explore ideas for reducing costs and minimizing weather risks.

Mr. Sharaf questioned the need for a new task force. He suggested that the existing PAC Board could discuss these

issues with the Symphony. Mr. Piecuch suggested that Mrs. Glassman should be a part of any discussions, and Mr. Ryan agreed to invite her to any future meetings. It was agreed that Mr. Ryan and Ms. Phillips would schedule a meeting, and that Mrs. Glassman and all PAC Board members would be advised of the date, time and place of the meeting.

IV. RECAP OF THE REACH FOUNDATION CONCERT

The Board had an extended discussion concerning the Reach Foundation concert. Mr. Toner reported that many of the problems stemmed from the promoter's failure to file a Public Gathering Permit until approximately two weeks before the concert. Mr. Piecuch pointed out that the application plainly states that the form must be completed and returned to the Zoning Office at least four weeks prior to the date of the scheduled event. Both the fireworks display and the provision of alcoholic drinks in the VIP tent backstage were sources of difficulty.

Mr. Toner explained that Town staff held a meeting with the promoter and his attorney, and including the town attorney by telephone, on Thursday before the concert to define what would be permissible under the town's policies.

Mr. Piecuch and a few other Board Members questioned the Town staff's decision process with respect to alcohol in the VIP tent and the display of fireworks. He feels that the Board of Selectmen, the Zoning Commission and the PAC Board should have passed upon promoter's plans.

Mr. Ryan and Mr. Mason felt that the Town staff did what they were supposed to. The Police Chief and the Zoning Enforcement Officer were controlling the process. The promoter was trying to skirt the rules, and that made the situation difficult.

V. CONNECTICUT THEATER FESTIVAL REPORT

Mr. Toner gave a final report on the CT Theater Festival concert. Mr. Toner reported that he and Mr. Distel met with Dean Adams to discuss the concerns raised in an earlier letter from Mr. Adams to the Town. Many of the concerns stemmed from issues regarding the Town's provision of marketing support services as called for in the license agreement. Mr. Toner has agreed to draft a formal marketing plan in order to avoid these issues in future years. Currently, the CT Theater Festival's facility maintenance fee is still due to the Town of Simsbury. While Mr. Toner expressed his opinion that the Town fully complied with its obligations under the license agreement, he suggested that some sort of concession be made for customer services purposes.

Mr. Piecuch moved to offer a \$1,000.00 adjustment to the license fee for an event produced by the Connecticut Theater Festival during the 2010 season. Mrs. Goman seconded the motion. The motion passed unanimously.

VI. UPDATE ON THE MANAGER RFP ACTIVITY BY GERRY TONER

It was reported that the deadline to respond to the Venue Manager RFP had been extended from September 18 to October 2. Some Board members questioned the process by which the deadline was extended. Reference was made to a motion passed by the PAC Board during its August meeting. In that motion, the PAC Board established a timetable by which proposals would be received and reviewed by Mr. Toner in time to provide a list of the top three candidates to the PAC Board by September 30. Board members questioned on whose authority the First Selectman's office extended the RFP given the fact that the PAC Board has passed a resolution on the matter. Mr. Ryan stated that he was contacted by the Office of the First Selectman and that he authorized the extension on behalf of the PAC Board. Mr. Ryan apologized for not referring the matter to the entire PAC Board.

It was observed that, due to the extension, the venue will not have

a manager in place by October 1. It was agreed that the PAC Board needed to move expeditiously to make a recommendation to the Board of Selectmen. Rather than delegating the task to Mr. Toner, it was agreed that a special PAC Board meeting will be held on October 5th or 6th to review each proposal and to formalize a process to review the proposals and make a recommendation to the Board of Selectmen.

VII. DISCUSSION OF PAC GOVERNANCE ALTERNATIVES

The consensus of the Board was that it should be prepared to discuss and make a governance recommendation during the month of October.

VIII. DISCUSSION AND POSSIBLE ACTION ON REQUESTS TO USE THE PAC

A. Calhoun Ride – June 12, 2010

Mr. Piecuch moved to recommend that the Board of Selectman approve the request of the Calhoun Ride to use the Performing Arts Center on June 12, 2010, contingent upon: (a) the payment of a \$3,500.00 license fee, (b) the execution of a license agreement in a form acceptable to the Town Attorney, and (c) the timely filing of a public gathering permit. Mr. Mason seconded the motion. The motion passed unanimously.

B. Doucette Gray Cancer Center Benefit

Mr. Piecuch moved to table the proposal and refer it to Mr. Toner to gather more information from the prospective licensee before taking action on the request. Mr. Sharaf seconded the motion. The motion passed unanimously.

X. ADJOURNMENT

Prior to adjourning, Mr. Mason offered his thanks to Mr. Toner for

all of the extra effort he put in during the 2009 season. The other Board members agreed and suggested a resolution was in order.

Mr. Mason moved that the Performing Arts Center Board recognize Gerry Toner for going above and beyond the call of duty during the 2009 concert season, and for assuming extensive duties at the Performing Arts Center on top of his full-time responsibilities as Director of Culture, Parks and Recreation. Mr. Piecuch seconded the motion. The motion carried unanimously.

Mr. Toner expressed his thanks.

Mr. Sharaf moved to adjourn at approximately 8:45 p.m. Mr. Piecuch seconded the motion. The motion passed unanimously.

Respectfully Submitted,

Gregory W. Piecuch
Vice-Chairman